

REMARKS/ARGUMENTS

Claims 1 to 40 are pending in the application. Claims 1 and 21 have been amended herein. No claims have been canceled, and no new claims have been added. Following entry of the amendments, claims 1 to 40 will be pending in the application. Claims 6 to 15, 26 to 35, and 40 have been withdrawn from consideration.

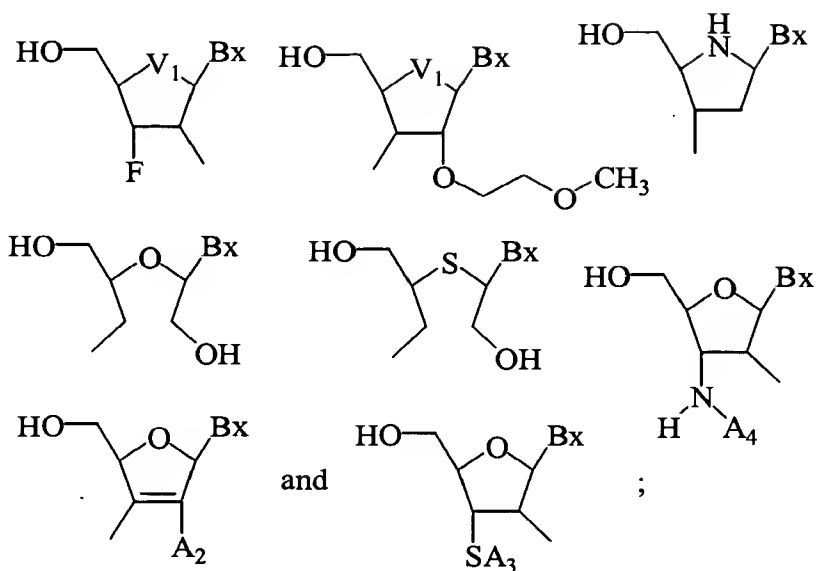
Applicants respectfully request reconsideration of the rejections of record in view of the foregoing amendments and the following remarks.

Alleged Obviousness

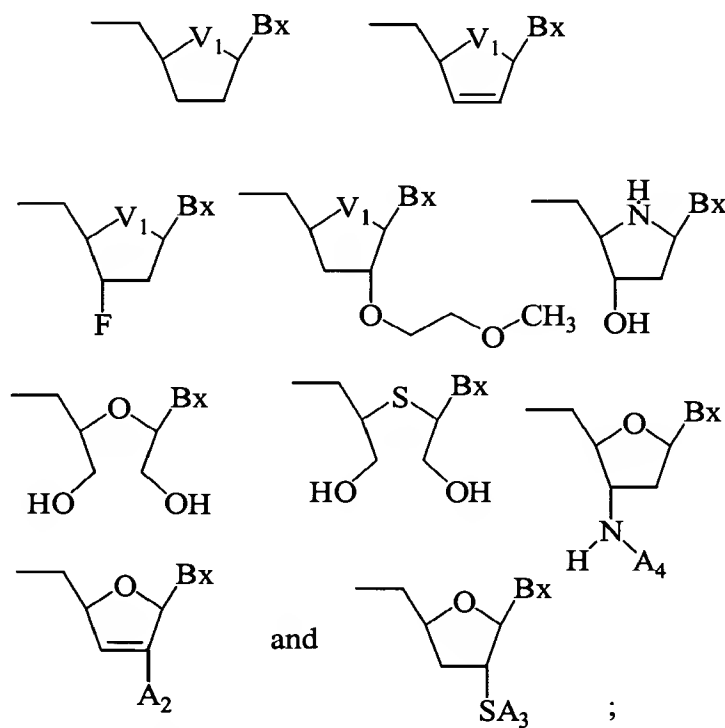
Claims 1 to 5, 16 to 25, and 36 to 39 have been rejected under 35 U.S.C. § 103(a) as allegedly obvious over U.S. Patent No. 5,998,203 (hereinafter “the Matulic-Adamic patent”). The Office Action asserts that the Matulic-Adamic patent describes nucleic acids having L-nucleoside modifications at the 5’ and/or 3’ ends, allegedly rendering obvious the subject matter defined by the claims. Applicants respectfully traverse the rejection because the Matulic-Adamic patent fails to teach or suggest every limitation of the present claims.

Preliminarily, Applicants note that the definition of W_1 and W_2 in claims 1 and 21 has been amended to remove the first modified nucleoside in each definition, which is an L-nucleoside.

Assuming *arguendo* that those of ordinary skill in the art would have been motivated to modify the teachings of the Matulic-Adamic patent, which Applicants do not concede, the patent contains no teaching or suggestion that would have led those of ordinary skill in the art to modify its teachings in a way that would have led to the subject matter defined by the present claims. The present claims recite oligomeric compounds of formula V wherein W_1 is hydrogen, a hydroxyl protecting group, or a modified nucleoside selected from the group consisting of:



and W₂ is hydrogen, a hydroxyl protecting group, or a modified nucleoside selected from the group consisting of:



wherein at least one of W₁ and W₂ is not hydrogen or a hydroxyl protecting group.

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PATENT


The Matulic-Adamic patent does not disclose, teach, or suggest such compounds. For example, patent fails to teach or suggest oligomeric compounds having groups that correspond to W_1 and W_2 of the present claims. Moreover, the patent fails to provide any teaching or suggestion that would have motivated those of ordinary skill in the art to modify the patent's teachings in a way that would have led to such compounds. The Office Action fails to demonstrate otherwise, and Applicants accordingly, respectfully request withdrawal of the rejection.

Conclusion

Applicants believe that the foregoing constitutes a complete and full response to the Office Action of record. Accordingly, an early and favorable Action is respectfully requested.

Respectfully submitted,

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Jane E. Ingles
Registration No. 48,444

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439